

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

FRANCISCO LOZANO,

Defendant.

8:03CR481

ORDER

Pursuant to the Opinion of the Eighth Circuit Court of Appeals remanding this case to the district court for resentencing pursuant to *United States v. Booker*, 125 S. Ct. 738 (2005), Filing Nos. 65 and 66,

IT IS ORDERED:

1. That resentencing of the defendant is scheduled before the undersigned on **September 30, 2005, at 2:30 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The defendant must be present for this hearing.

2. The U.S. Marshal's Office is directed to return the defendant to this district for the above hearing.

3. Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for this resentencing. If retained, counsel for the defendant remains as counsel for the defendant until the resentencing is completed or until given leave to withdraw.

4. The Federal Public Defender shall provide CJA counsel with a new voucher.

DATED this 11th day of August, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge